

REMARKS

Claims 1-68, 99-111, 115-121, 123, and 128-141 are pending in the present application. Claims 69-98, 112-114, 122, and 124-127 have been cancelled without prejudice or disclaimer to the subject matter contained therein.

As set forth above, the claims have been amended to enhance the particularity and distinctness of the language used to claim the subject matter which the Applicants regard as their invention, and thus are in full compliance with 35 U.S.C. §112, second paragraph.

I. ARGUMENTS

A. Rejection under 35 U.S.C. §102(b)

Claims 115, 116, and 120 under 35 U.S.C. §102(b) as being anticipated by Sasaki et al. (US-A-5,888,883). This rejection under 35 U.S.C. §102(b) is respectfully traversed.

The presently claimed invention, as set forth in amended independent claim 115, is directed to a method for protecting a MEMS wafer during a dicing. The claimed method mounts, upon a backside of the MEMS wafer, a layer of dicing tape, the MEMS wafer having a plurality of MEMS structure sites on a front side and a plurality of through holes, each through hole corresponding to a MEMS structure site, the through holes being formed such that each through hole penetrates through the wafer from the backside of the wafer to the front side, and dices the MEMS wafer into a plurality of dies such that each die includes a MEMS structure site and a corresponding through hole.

The Examiner, in formulating the present rejection under 35 U.S.C. §102(b), alleges that Sasaki et al. anticipates the presently claimed invention. More specifically, the Examiner alleges that Sasaki et al. teaches mounting, upon a backside of a wafer (21), a layer of dicing tape (26), the wafer having a front patterned side and a plurality of etched ports (22) on a backside, the etched ports providing a possible leak path from a backside of the wafer to the front patterned side of the wafer; and dicing the wafer into a plurality of dies. The Applicants respectfully traverse these allegations.

As set forth above, amended independent claim 115 sets forth that upon a backside of the MEMS wafer, a layer of dicing tape is mounted wherein the MEMS wafer has a plurality of MEMS structure sites on a front side and a plurality of corresponding through holes, each

through hole corresponding to a MEMS structure site. Amended independent claim 115 further states that the through holes are formed such that each through hole penetrates through the wafer from the backside of the wafer to the front side. Moreover, amended independent claim 115 sets forth that the MEMS wafer is diced into a plurality of dies such that each die includes a MEMS structure site and a corresponding through hole.

In contrast, Sasaki et al. teaches a dicing method wherein a wafer (21) has formed thereon a dicing tape (26). Moreover, Sasaki et al. teaches that the wafer is diced to form grooves (22), which surround the dies to enable the die to be separated from the wafer.

Sasaki et al. fails to teach that a layer of dicing tape is mounted wherein the MEMS wafer has a plurality of MEMS structure sites on a front side and a plurality of corresponding through holes wherein each through hole corresponds to a MEMS structure site because the grooves (22) of Sasaki et al. are a result of the dicing operation, not a structure already present upon the wafer before dicing. Furthermore, Sasaki et al. fails to teach that the MEMS wafer is diced into a plurality of dies such that each die includes a MEMS structure site and a corresponding through hole because dicing of Sasaki et al. results in a plurality of dies having semiconductor elements with no corresponding through holes.

Therefore, contrary to the Examiner's conclusion, Sasaki et al. fails to anticipate the presently claimed invention, as set forth by amended independent claim 115.

With respect to dependent claims 116 and 120, the Applicants, for the sake of brevity, will not address the reasons supporting patentability for these individual dependent claims, as these claims depend directly from the allowable independent claim 115 for the reasons set forth above. The Applicants reserve the right to address the patentability of these dependent claims at a later time, should it be necessary.

Accordingly, in view of the amendments and reasons set forth above, the Examiner is respectfully requested to reconsider and withdraw the present rejection under 35 U.S.C. §102(b).

B. Rejection under 35 U.S.C. §103

Claims 117 and 121 under 35 U.S.C. §103 as being unpatentable over Sasaki et al. (US-A-5,888,883) in view of Arisa (US-A-6,426,275). This rejection under 35 U.S.C. §103 is respectfully traversed.

With respect to dependent claims 117 and 121, the Applicants, for the sake of brevity, will not address the reasons supporting patentability for these individual dependent claims, as these claims depend directly from the allowable independent claim 115 for the reasons set forth above. The Applicants reserve the right to address the patentability of these dependent claims at a later time, should it be necessary.

Accordingly, in view of the amendments and reasons set forth above, the Examiner is respectfully requested to reconsider and withdraw the present rejection under 35 U.S.C. §103.

II. CONCLUSION

Accordingly, in view of the amendments and the reasons set forth above, the Examiner is respectfully requested to reconsider and withdraw the present rejections. Also, an early indication of allowability is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew E. Connors", written over a horizontal line.

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